

REFERENCE TITLE: *secure and verifiable identification*

State of Arizona
Senate
Forty-seventh Legislature
Second Regular Session
2006

SB 1475

Introduced by
Senators Martin: Blendu, Flake

AN ACT

AMENDING TITLE 41, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 41; RELATING TO IDENTIFICATION REQUIREMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 41, Arizona Revised Statutes, is amended by adding
3 chapter 41, to read:

CHAPTER 41

SECURE AND VERIFIABLE IDENTIFICATION

ARTICLE 1. GENERAL PROVISIONS

41-4251. Identification requirements; exceptions; definitions

A. FOR THE DISBURSEMENT OF PUBLIC SERVICES, INCLUDING LAW ENFORCEMENT SERVICES, IN THIS STATE THAT REQUIRE RECIPIENTS TO PRODUCE IDENTIFICATION, A DEPARTMENT, AGENCY, COMMISSION, BOARD OR DISTRICT OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE SHALL NOT ACCEPT OR RECOGNIZE ANY IDENTIFICATION DOCUMENT UNLESS THE DOCUMENT WAS ISSUED BY A POLITICAL SUBDIVISION OF THIS STATE, A FEDERALLY RECOGNIZED INDIAN TRIBE OR A STATE OR FEDERAL AUTHORITY AND IS VERIFIABLE BY A LAW ENFORCEMENT OR HOMELAND SECURITY AGENCY. LAW ENFORCEMENT SERVICES SHALL NOT BE WITHHELD BECAUSE OF THE PRESENTATION OF AN UNVERIFIABLE IDENTIFICATION DOCUMENT, BUT THE UNVERIFIABLE DOCUMENT CANNOT BE USED TO ESTABLISH IDENTITY. A POLITICAL SUBDIVISION OF THIS STATE SHALL NOT AUTHORIZE ACCEPTANCE OF AN UNVERIFIABLE IDENTIFICATION DOCUMENT AND A PUBLIC OFFICIAL ACTING IN THE CAPACITY OF A PUBLIC OFFICIAL SHALL NOT ACCEPT, ACKNOWLEDGE OR RECOGNIZE ANYTHING OTHER THAN A VERIFIABLE IDENTIFICATION DOCUMENT. FOR THE PURPOSE OF ISSUING ANY FORM OF IDENTIFICATION, LICENSE, PERMIT OR OFFICIAL DOCUMENT TO ANY PERSON, A POLITICAL SUBDIVISION OF THIS STATE SHALL NOT RELY ON, OR USE IN ANY MANNER, ANY DOCUMENT OTHER THAN A VERIFIABLE IDENTIFICATION DOCUMENT.

25 B. AN EXCEPTION TO THIS SECTION SHALL BE MADE ONLY AS REQUIRED BY
26 TREATY OR FEDERAL LAW OR FOR THE PURPOSE OF REPORTING A CRIME. AN ACTION
27 THAT IS KNOWINGLY TAKEN AND THAT IS INCONSISTENT WITH THIS SECTION IS DEEMED
28 TO BE OUTSIDE OF THE OFFICIAL CAPACITY OF THE AGENCY, OFFICER, ELECTED
29 OFFICIAL, AGENT OR EMPLOYEE AND IS NOT PROTECTED BY GOVERNMENTAL IMMUNITY.

C. FOR THE PURPOSES OF THIS ARTICLE:

31 1. "LAW ENFORCEMENT AGENCY" MEANS ANY LAW ENFORCEMENT OR INTELLIGENCE
32 AGENCY, DEPARTMENT OR AUTHORITY OF THE UNITED STATES GOVERNMENT, A STATE
33 GOVERNMENT OR A POLITICAL SUBDIVISION OF THE UNITED STATES GOVERNMENT OR A
34 STATE GOVERNMENT.

35 2. "PUBLIC SERVICES" MEANS SERVICES FUNDED IN WHOLE OR IN PART BY
36 STATE OR LOCAL TAX REVENUES.

37 3. "VERIFIABLE" MEANS THAT THE ISSUANCE OF A DOCUMENT BY THE ISSUING
38 AGENCY TO THE INDIVIDUAL NAMED ON THE DOCUMENT IS CAPABLE OF BEING CONFIRMED
39 ON REQUEST BY A UNITED STATES LAW ENFORCEMENT AGENCY.